

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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KAREN BARRETT,

Civ. Act. No.: 10-CV-4600 (AKH)

Plaintiff,

-against-

HARTFORD LIFE AND ACCIDENT
INSURANCE COMPANY,

Defendant.

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NOTICE OF MOTION

DOCUMENT
ELECTRONICALLY FILED

PLEASE TAKE NOTICE that, upon the Declaration of Michael H. Bernstein, Esq. dated June 21, 2011 and the exhibits annexed thereto, and the accompanying Memorandum of Law In Support Of Its Motion To Strike Plaintiff's Improper Extra-Record Submission, all simultaneously submitted herewith, and upon all prior pleadings and proceedings previously had herein, defendant, HARTFORD LIFE INSURANCE COMPANY incorrectly sued herein as Hartford Life And Accident Insurance Company ("Hartford"), by its attorneys, Sedgwick LLP, will move this Court, on a date and at a time set by the Court, before the Hon. Alvin K. Hellerstein, U.S.D.J., at the United States District Courthouse for the Southern District Of New York, 500 Pearl Street, Courtroom 14D, New York, New York 10007 for an Order pursuant to Rules 37(c) and 56(e), FED. R. CIV. PROC., striking Exhibits "C" through "H" to the Affirmation of Scott M. Riemer, dated May 17, 2011 (Doc. No. 29), and for such other and further relief this Court deems just and proper.

Dated: New York, New York
June 21, 2011

Respectfully Submitted,

s/

MICHAEL H. BERNSTEIN (MB 0579)
JOHN T. SEYBERT (JS 5014)
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HARTFORD LIFE INSURANCE COMPANY

To: Scott M. Riemer, Esq. (SR 5005)
RIEMER & ASSOCIATES LLC
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Telephone: (212) 297-0700
Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I, DANIEL M. MEIER, hereby certify and affirm that a true and correct copy of the attached **NOTICE OF MOTION** was served **via ECF** and **via regular mail** on June 21, 2011, upon the following:

Scott M. Riemer, Esq. (SR 5005)
RIEMER & ASSOCIATES LLC
60 East 42nd Street, Suite 2430
New York, New York 10165
Tel.: (212) 297-0700

Dated: New York, New York
June 21, 2011

s/

DANIEL M. MEIER (DM 2833)